

House Bill 148

By: Representatives Lucas of the 139<sup>th</sup>, Burkhalter of the 50<sup>th</sup>, and Lewis of the 15<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 46-5-134 of the Official Code of Georgia Annotated, relating to  
2 billing, collection, and use of emergency "911" telephone charges, so as to provide that local  
3 governments shall make periodic reports to the Georgia Emergency Management Agency  
4 of amounts collected and expended; to provide for local government refunds to telephone  
5 subscribers of any amounts improperly expended; to provide for administrative penalties for  
6 late or improper reports; to provide for related matters; to provide for an effective date and  
7 applicability; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 46-5-134 of the Official Code of Georgia Annotated, relating to billing,  
11 collection, and use of emergency "911" telephone charges, is amended by adding at its end  
12 a new subsection (k) to read as follows:

13 "(k)(1) Each local government collecting or expending any "911" charges or wireless  
14 enhanced "911" charges in any fiscal year beginning on or after July 1, 2005, shall make  
15 an annual report of its collections and expenditures to the Georgia Emergency  
16 Management Agency. The purpose of such report shall be to verify the local  
17 government's compliance with the expenditure requirements of this Code section. Such  
18 report shall be in such form and shall be due at such time as shall be prescribed by rule  
19 or regulation of the Georgia Emergency Management Agency.

20 (2) Any local government which makes expenditures not in compliance with this Code  
21 section may be held liable for pro rata reimbursement to telephone subscribers of  
22 amounts improperly expended. Such liability may be established in judicial proceedings  
23 by any aggrieved party or by the Georgia Emergency Management Agency in  
24 administrative proceedings commenced on the initiative of the Georgia Emergency  
25 Management Agency.

1 (3) Any local government which fails to file a timely and proper report as required by  
2 this Code section shall be subject to an administrative penalty, to be imposed by the  
3 Georgia Emergency Management Agency, not to exceed \$1,000.00 for each day such  
4 report is delinquent."

5 **SECTION 2.**

6 This Act shall become effective on July 1, 2005, and shall apply with respect to charges  
7 remitted to local governments on or after that date.

8 **SECTION 3.**

9 All laws and parts of laws in conflict with this Act are repealed.